

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BENDIX COMMERCIAL VEHICLE)	
SYSTEMS LLC,)	
)	
KNORR-BREMSE SYSTEME FÜR)	
NUTZFAHRZEUGE GMBH,)	Case No. 1:09-CV-0176
)	
and)	
)	
BENDIX SPICER FOUNDATION BRAKE)	JUDGE DONALD C. NUGENT
LLC,)	
Plaintiffs,)	
v.)	
)	
HALDEX BRAKE PRODUCTS)	
CORPORATION,)	
)	
Defendant.)	
)	

**DEFENDANT HALDEX BRAKE PRODUCTS CORPORATION'S CROSS-MOTION FOR
SUMMARY JUDGMENT OF NON-INFRINGEMENT**

Defendant Haldex Brake Products Corporation respectfully moves this Court, pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rule 7.1, for partial summary judgment that Haldex has not infringed Claims 1 – 28, 31 – 32, 35 – 36, 39, 43, 47, 51, 56, 64, 66, and 72 of U.S. Reissue Patent No. RE38,874.

The grounds for this Motion are included in the Memorandum in Support of Haldex's Opposition to Plaintiffs' Motion for Summary Judgment of Infringement and Haldex's Cross-Motion for Summary Judgment of Non-Infringement [Docket No. 52] filed concurrently with this motion. A proposed Order is also being filed herewith.

Respectfully submitted,



Dated: March 22, 2010

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CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2010, a true and correct copy of the foregoing DEFENDANT HALDEX BRAKE PRODUCTS CORPORATION'S CROSS-MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

s/ Joshua M. Ryland

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Corporation*